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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA (LAS VEGAS)**

BEDROC LIMITED, LLC, individually,  Plaintiff, v. FIREWORKS BY GRUCCI, INC.  Defendant.	Civil Docket: 2:21-cv-00936-RFB-BNW
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**MOTION TO WITHDRAW CHERYL WILSON, ESQ.  
AS COUNSEL FOR DEFENDANT**

COMES NOW Robert E. Murdock, Esq. and Sydney E. Murdock, Esq. of Murdock & Associates, Chtd., counsel for attorney Cheryl Wilson, Esq., and respectfully request this Court to allow Ms. Wilson to withdraw as counsel in this matter per LR IA 11-6 (b).

1           This Motion is made and based on all the pleadings and papers on file herein,  
2 the attached Memorandum of Points and Authorities and Declaration of Cheryl  
3  
4 Wilson, Esq.

5           DATED this 7<sup>th</sup> day of September 2022.

6  
7                                   **MURDOCK & ASSOCIATES, CHTD.**

8                                   /s/ Robert E. Murdock

9                                   Robert E. Murdock           Bar No. 4013  
10                                  Sydney E. Murdock       Bar No. 15291  
11                                  521 South Third Street  
12                                  Las Vegas, NV 89101

**DECLARATION OF ROBERT E. MURDOCK, ESQ.**

Robert E. Murdock, hereby declares under penalty of perjury and states as follows:

1. I am an attorney licensed to practice law in the State of Nevada and in the United States District Court for Nevada and have been since 1990.
2. That I was retained by Ms. Wilson after she found out that she had been sanctioned by the Nevada Supreme Court on a matter she was not even involved in when she was at Tyson & Mendes. A truthful and correct copy of the Nevada Supreme Court Order is attached as an Exhibit herein for background purposes.
3. That I filed a Petition for Rehearing of that matter and it is currently pending before the Nevada Supreme Court. I have attached a truthful and correct copy of same to the instant Motion to provide some background to this Court regarding the issues.
4. That after the Petition was filed, I became aware that yet another matter was proceeding where Ms. Wilson had not been removed as counsel—and that is the instant matter.
5. That on August 31, 2022, I drafted and sent an email to Jacob Felderman who is the Director of Operations at Tyson Mendes and copied same to Mr. McGrath and insurance personnel at Tyson Mendes.

- 1 6. That a true and correct copy of the email is attached to the Motion.
- 2
- 3 7. That in the email, I requested that Tyson Mendes takes immediate steps to
- 4 remove Ms. Wilson especially as there was a Motion for Summary
- 5 Judgment that had just been filed and I wanted to make sure that Tyson
- 6 Mendes and Mr. McGrath were aware that Ms. Wilson was not going to be
- 7 responding to same.
- 8
- 9 8. That despite the email, I have not heard from anyone at Tyson Mendes.
- 10
- 11 9. That on September 2, 2022, I filed a Notice of Appearance for Ms. Wilson.
- 12 However, the NEXTGEN system would not allow me to file the appearance
- 13 just for Ms. Wilson so I edited the computer generated title to "Limited
- 14 Notice of Appearance by Robert E. Murdock on behalf of Defendant
- 15 Fireworks by Grucci, Inc., *ONLY FOR CHERYL WILSON.*"
- 16
- 17
- 18 10. That in no way do I represent the Defendant Fireworks by Grucci. I only
- 19 represent Ms. Wilson.
- 20

21 FURTHER DECLARANT SAYETH NAUGHT.

22 DATED this 7th day of September, 2022.

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24  
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A handwritten signature in black ink, appearing to read 'R. Murdock', is written over a horizontal line.

Robert E. Murdock, Esq.



1 know she was counsel on the matter, and Tyson & Mendes never removed her from  
2 the matter. See Exhibit Two.<sup>1</sup>

3  
4 Just the other day, Ms. Wilson determined that the instant matter was *yet*  
5 *another one* where Tyson & Mendes failed to withdraw her from the case. Ms.  
6 Wilson's counsel sent a letter to the Head of Legal Operations at Tyson & Mendes  
7 demanding that this be done. See Exhibit Four. However, no such substitution or  
8 withdrawal has been filed.

9  
10  
11 Upon information and belief, Mr. McGrath is still counsel for Defendant as  
12 well as Mr. Hayes.

13  
14 As this Court well-knows, LR IA-11-6(b) governs withdrawals:

15 "If an attorney seeks to withdraw after appearing in a  
16 case, the attorney must file a motion or stipulation and  
17 serve it on the affected client and opposing counsel. The  
18 affected client may, but is not required to, file a response  
19 to the attorney's motion within 14 days of the filing of  
20 the motion, unless the court orders otherwise."

21 As Mr. McGrath and Mr. Hayes are still counsel no delay would impact this  
22 matter (as required by LR IA-11-6(e)).

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24 ...

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<sup>1</sup> The Exhibits to the Petition have not been attached as they are not relevant to this matter.

1 Accordingly, Ms. Wilson respectfully requests that this Court withdraw her  
2 from this matter forthwith.  
3

4 DATED this 7<sup>th</sup> day of September 2022.

5 **MURDOCK & ASSOCIATES, CHTD.**

6  
7 /s/ Robert E. Murdock

8 Robert E. Murdock Bar No. 4013

9 Sydney E. Murdock Bar No. 15291

10 521 South Third Street

11 Las Vegas, NV 89101

12 **ORDER**

13 **IT IS SO ORDERED**

14 **DATED:** 2:33 pm, September 08, 2022

15  
16 

17 **BRENDA WEKSLER**

18 **UNITED STATES MAGISTRATE JUDGE**

**CERTIFICATE OF SERVICE**

I hereby certify service of the foregoing Motion to Withdrawal Cheryl H. Wilson as Counsel for Defendant was made this date by electronic filing and by mailing a true and correct copy, addressed as follows:

TYSON MENDES LLP  
170 S. Green Valley Pkwy., Ste. 300  
Henderson, Nevada 89012  
T: 702-724-2648  
F: 702-410-7684

FIREWORKS BY GRUCCI INC.  
20 Pinehurst Drive  
Bellport NY 11713

Dated: September 7, 2022

By: /s/ Natalie Jones

**An employee of Murdock & Associates, Chtd.**